

**WILLIAMSTOWN BOARD OF SELECTMEN  
MINUTES  
MONDAY, DECEMBER 10, 2012  
7:00 PM**

**Present:** David A. Rempell, Chairman, Tom Costley, Thomas E. Sheldon,  
Jane B. Allen, Ronald Turbin

**Others Present:** Carl Faulkner, Jamie Hazzard, Kyle Johnson, Tom McHugh, Robert Scerbo, Beth Phelps, Lauren Stevens, Susan Puddeste, Ken Swiatek, Sharon Wyrnick, Sara Thurston, Cathy Yamamoto, Linda Bell, Linda Chesbro, Peter Fohlin, Kathy Poirot

**1. CHAIRMAN'S OPENING STATEMENT:** None

**2. SELECTMEN'S MINUTES:** November 26, 2012 – Mr. Costley moved to approve the November 26, 2012 minutes. Mr. Turbin seconded and the motion carried 3-0-2. Mr. Sheldon and Ms. Allen abstained.

**3. ITEMS FOR SELECTMEN'S CONSIDERATION:**

**A.** Alcoholic Beverage Compliance Check Failure – Taconic Williamstown Corporation, d/b/a The Williams Inn, Carl Faulkner, Manager

Chief Johnson reported that on Tuesday, November 6, 2012, of the 23 establishments checked for compliance, The Williams Inn failed by serving alcohol to two individuals under the age of 21. Mr. Rempell said that due to the compliance failure, liquor license manager, Carl Faulkner, and the offending bartender, Jamie Hazzard, were summoned to this meeting pursuant to the guidelines set forth by the Board.

Mr. Faulkner said he was not present when the infraction occurred, but that he takes full responsibility. In response to Ms. Allen's question as to his expectations as the liquor manager, Mr. Faulkner said he expects his staff to not serve minors. The Williams Inn has not had any failures since this Board started keeping track of liquor compliance checks. The bartender, Mr. Hazzard, said that since it was the evening of the presidential election, he was distracted by the television reporting on the election returns and failed to pay sufficient attention to the patrons. Mr. Faulkner and Mr. Hazzard said they were very embarrassed that it happened and that, in the future, they will card anyone who appears under 30 years of age.

Mr. Sheldon moved to issue a letter of warning and reprimand, and send copies to the ABCC and the file of the Williams Inn. Mr. Costley seconded and the motion carried unanimously.

**B.** Water & Sewer Warrant - \$183,563.58 – Ms. Allen moved to approve the water and sewer warrant in the amount of \$183,563.58. Mr. Costley seconded and the motion carried 5-0-0.

**C.** 2013 Town Election Calendar – Set Dates and Times for Election and Annual Town Meeting – Ms. Allen moved to approve the dates and times as presented by the

Town Clerk. Mr. Rempell read the Town Election Calendar aloud. Mr. Turbin seconded and the motion carried 5-0-0.

**D. Accept Resignation of Stephen Dankner from the Cultural Council of Northern Berkshire** – Ms. Allen moved to accept Stephen Dankner's resignation from the Culture Council of Northern Berkshire with thanks. Mr. Costley seconded and the motion carried 5-0-0.

**E. FEMA Grant Update** – Mr. Fohlin said he first announced to the residents of the Spruces on November 13th that the town made a grant application, on behalf of Morgan Management, to FEMA, because he believed that there was a good possibility that the grant application might be successful. Later that evening the news was announced at the Selectmen's meeting. Mr. Sheldon said that the Board was aware that Town officials were applying earlier in the spring, but did not want to announce the information that early in the process. Mr. Sheldon said the Board's initial discussions of the grant application grew out of executive session meetings that dealt with Morgan Management's lawsuit against the Town. Mr. Fohlin said the FEMA grant would be a once-in-a-lifetime opportunity to receive funding based on the pre-Irene value of the Spruces (\$6.4 million) instead of the post-Irene value (\$1.2 million). He said that the goal is twofold: remove the residents occupying 66 homes currently at the park from harm's way and develop affordable housing. Several residents with ties to properties in the Stratton Road area spoke of their concerns about taking the Lowry property out of conservation and putting houses on the site. Other concerns included why the former Photec Mill and former town garage sites were not given priority for the development of affordable housing. Ms. Yamatoto, Chair of the Affordable Housing Committee, responded that the Photec and town garage sites were being looked at.

In addition, to those speaking about the Lowry property and other developable sites in town, Spruces' residents Linda Bell and Linda Chesbro appealed to town officials to keep the Spruces open. Ms. Bell said her home in the park is the only home where she has ever been happy. She said everyone in the Spruces takes great care in their homes and that a majority of residents wish to stay. Ms. Chesbro stated that the Town has not considered the residents' wishes to keep their homes at the Spruces.

**F. Regional PSAP Grant with Adams and North Adams** – Mr. Fohlin said that if the Selectmen give their approval, Williamstown would join Adams and North Adams in a grant to study the feasibility of and planning for a possible regional Public Safety Answering Point in north Berkshires. There would be no cost to the Town. Ms. Allen moved to approve. Mr. Costley seconded and the motion carried 5-0-0.

**G. Set Public Hearing Date and Time for a Request from M&M Plus Enterprises, d/b/a Desperados, 246 Main Street, for an Annual All Alcohol Restaurant License, Robert Mazzu, Manager.** Ms. Allen moved to set a public hearing on December 24, 2012 at 8 a.m. for a request from M&M Plus Enterprises, d/b/a Desperados, 246 Main St. for an Annual All Alcohol Restaurant License, Robert Mazzu, Manager. Mr. Costley seconded and the motion carried 5-0-0.

**4. LICENSES AND PERMITS:**

A. Request from Images Cinema, 50 Spring Street, Janet Curran, Managing Director, for a One Day All Alcoholic Beverage Liquor License on Sunday, February 24, 2013 from 8 – 12 pm, for an Oscar party. Mr. Costley moved to approve the one day all alcoholic beverage liquor license for Sunday, February 24, 2013 from 8-12 for an Oscar Party. Mr. Turbin seconded and the motion carried 4-0-1, with an abstention by Mr. Sheldon.

**5. TOWN MANAGER'S REPORT:** See attached and at [www.williamstown.net](http://www.williamstown.net)

**6. PETITIONER'S REQUEST:** None

**7. OTHER BUSINESS:** None

**8. ADJOURN:** Mr. Costley moved to adjourn at 8:56 p.m. Ms. Allen seconded and the motion carried unanimously. The next Selectmen's Meeting is Monday, December 24, 2013 at 8:00 a.m.

Respectfully submitted,

Ronald Turbin, Secretary